

United States District Court
for
Middle District of Tennessee


Report on Offender Under Supervision

Name of Offender: Lethetus R. Fennessee Case Number: 1:09-00010
Name of Judicial Officer: The Honorable William J. Haynes, Jr., Chief U. S. District Judge
Date of Original Sentence: March 15, 2010
Original Offense: 21 U.S.C. § 841(a)(1), Possession with Intent to Distribute and Distribution of Cocaine
Base (3 Counts)
Original Sentence: 12 months' and 1 day custody in the BOP; 3 years' supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: June 7, 2010
Assistant U.S. Attorney: Phil Wehby Defense Attorney: G. Kerry Haymaker

THE COURT ORDERS:

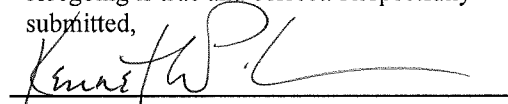
- ☒ No Action *as recommended*
☐ Submit a Petition for Summons
☐ Submit a Petition for Warrant

Considered this 12th day of September, 2012, and made a part of the records in the above case.



Chief U. S. District Judge
William J. Haynes, Jr.

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,



Supervisory U.S. Probation Officer
Kenneth Parham

Place Nashville, Tennessee

Date September 11, 2012

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **The defendant shall not commit another federal, state, or local crime:**

On August 30, 2012, Mr. Fennessee and his girlfriend, Jessica Whitehead, became involved in an heated argument. Sometime during the argument, the offender allegedly shoved Ms. Whitehead, and she fell backwards against a wall in their apartment putting a hole in the wall. He then hit her in the top of her head as she fell to the floor. On August 31, 2012, Mr. Fennessee was arrested and charged with Simple Assault (Domestic). He posted bond on August 31, 2012. His next court date is October 3, 2012, in General Sessions Court in Maury County, Tennessee.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Fennessee vehemently denied to this officer that he assaulted Ms. Whitehead. The offender stated that on August 30, 2012, he and Ms. Whitehead got into an argument, and he wanted her to move out of their apartment. She would not leave so he called her sister, Erica Whitehead, to come and get her things. Erica Whitehead called the police and when they arrived at the apartment, the offender left the apartment and moved to his mother's residence. Mr. Fennessee stated he did not return to the apartment and he did not assault Jessica Whitehead. The offender stated that on August 31, 2012, while on his way to work, the police pulled him over and arrested him for domestic assault.

On July 14, 2010, a 12B petition was filed with the Court requesting a hearing to modify the offender's conditions to include drug treatment. Said petition was signed by Your Honor on July 22, 2010, and a hearing was held on August 2, 2010. On this date, by agreement of all parties, the offender's conditions of supervision were modified to include his participation in a drug treatment program. The offender was enrolled in substance abuse treatment at Maury County Centerstone from August 30, 2010, through November 10, 2010. He attended 4 sessions and was making some progress; however, his treatment was cut short when he was arrested in Lawrence County on an outstanding warrant.

On September 27, 2010, a 12C petition was filed notifying the Court of the offender's termination from the Residential Release Center (RRC) due to numerous rule violations. Said petition was signed by Your Honor on October 18, 2010, and a hearing was held on June 3, 2011. On this date, the offender's term of supervised release was revoked, and he was sentenced to time served and two years of supervised release, with an additional special condition for two months of home confinement.

A 12A petition was submitted to the Court on March 2, 2012, due to the offender testing positive for marijuana on February 6, 2012. No action was recommended by probation due to the offender being placed back in drug treatment. The Court accepted the recommendation.

U.S. Probation Officer Recommendation:

Although this office considers domestic assault a serious issue, we are recommending no action at this time to see what transpires in state court. Mr. Fennessee is now residing with his mother and has been instructed not to have any contact with Ms. Whitehead.

The U. S. Attorney's Office has been advised of the offender's noncompliance and concurs.

Approved: _____



Vidette Putman
Supervisory U.S. Probation Officer